GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:6344
ANSWERED ON:06.05.2003
CRIMINAL JUSTICE SYSTEM
GADDE RAMAMOHAN;RAMSHETH THAKUR

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government have received report from Malimath Committee on the Criminal Justice System;

(b) if so, the details of recommendations made by the Committee;

(c) the reaction of the Government thereto; and

(d) the extent to which the Government proposes to accept the recommendations?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI)

(a)&(b): Yes, Sir. Apart from recommendations for amendment to various provisions of the Code of Criminal Procedure, 1973, the Indian Penal Code, 1860, and the Indian Evidence Act 1872, the Committee has suggested reduction of vacations of the Supreme Court and High Courts, change in trial procedure with a view to providing speedy and effective trial of cases; right of a victim to participate in cases involving serious crimes and to adequate compensation; protection to witnesses, arrears eradication scheme, measures to check offences against women, enactment of Central legislation to deal with crimes of inter-state and/or international/transnational ramification in List 1 of the Seventh Schedule to the Constitution of India, establishment of federal courts for trial of underworld criminals, making more offences compoundable, abolishing the difference between cognisable and non-congnisbale offences etc.

(c)&(d): Since the Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India, amedment to the Code of Criminal Procedure 1973 and the Indian Penal Code 1860 would require consultation with State Governments.